THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.13632/2005

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Perala Somaiah ..Petitioner

V.

1.The Revenue Divisional Officer, Suryapet, Nalgonda District and others.

..Respondents.

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.13632/2005

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ORAL ORDER

The petitioner was appointed as a Fair Price Shop dealer of Mamidipalli village. On the basis of the inspection report of the third respondent, Mandal Revenue Officer, Tirumalgiri Mandal, authorisation of the petitioner was suspended by the first respondent, the Revenue Divisional Officer, Suryapet, on 14-3-2002 and a show cause notice dt. 14-3-2002 was issued calling his explanation. On submitting his explanation, pending finalization of enquiry, suspension of the authorisation was revoked. Alleging that the respondents are trying to appoint third person disregarding his claim, the present writ petition has been filed contending that in spite of revocation of suspension of authorisation, the third respondent did not allow him to assume charge of the dealership.

In the counter-affidavit filed by the first respondent, the Revenue Divisional Officer, Suryapet, it is categorically asserted that acting upon the explanation submitted by the petitioner in response to the show cause notice, the matter was enquired and revoked the suspension by imposing penalty of Rs.1000/- by proceedings No.D/330/02 dt. 19-7-2002. On revocation of the suspension, on the complaint made by the villagers of Mamidipally before the District Collector, who issued proceedings dt. 3-7-2002 staying the revocation orders with a direction to conduct detailed enquiry and take necessary action. In the light of the said direction, the matter was again enquired into and authorisation of the petitioner was cancelled on 11-10-2002.

Having regard to the fact that authorisation of the petitioner is already been cancelled after passing revocation orders revoking the suspension of the

authorisation of the petitioner, no essential commodities were allotted to the petitioner since suspension, and the petitioner has not questioned the cancellation order, allowing the petitioner to assume charge of fair price shop dealership does not arise.

The writ petition is accordingly dismissed. No costs.

26-4-2006

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